

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL APPLICATION NO.584 OF 2005

Imtiyaz Ajij Pagadiwale ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr.Ujwal R.Agandsurve for Applicant.

Mr.D.R.More, A.P.P. for Respondent.

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**CORAM: A.M.KHANWILKAR, J.**

**FEBRUARY 3, 2005.**

**P.C.**

1. Heard Counsel for the parties. Perused the record.

2. I see no reason to depart from the conclusion reached by the Court below in rejecting the Bail Application preferred by the Applicant. There is evidence of Mr.Ashok Ambadas Nanda, which indicates complicity of the Applicant in commission of the crime. There are other circumstances on which the prosecution has relied, as noted by the

lower Court. As there is material to connect the Applicant in the commission of the crime, not a case for bail.

3. Counsel for the Applicant, however, emphasised on letter given by Mr.Ashok Ambadas Nanda, which is at Page 13 sent to his superior on 10th August 2004 to contend that the statement, in which he has named the Applicant being subsequent, is an afterthought. There is no reason to accept this submission. The reason for issuing letter on 10th August 2004 by the said witness can be spelt out from the version given in the statement dated 12th August 2004 that he was threatened with dire consequences, if he would disclose the incident witnessed by him. Besides, the Court below has noted that the complainant has been receiving threats from relatives of the accused. Even this reason is good reason to reject the bail application. Hence, dismissed.

4. The Sessions Judge, Sholapur, is directed to assign the case to the Fast Track Court, if already not done, so as to ensure early disposal of

the case.

A.M.KHANWILKAR, J.